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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,649	01/22/2002	Bernard A. Traversat	5681-07600	9407

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EXAMINER	
LIEN, TAN	

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/055,649	TRAVERSAT ET AL.	
	Examiner	Art Unit	
	Tan Lien	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 22 January 2002.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-61 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-61 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 22 January 2002 is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 1/22/02.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(e). The certified copy has been filed in provisional Application No. 60/263,573, filed on 1/22/2001.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear to the Examiner what "code mechanism" means. These two words together are not explained nor supported in the specification. Therefore, the Examine will presume that the "code mechanism" is just a mechanism to access a set of resources.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 7, 11-15, 18-21, 26-32, 36-41, 44-49, 51-54, and 58-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramanathan et al (US Patent 6,182,136) in view of Badovinatz (US Patent 5,896,503).

Claim 1, 13, 18, 29, 39, 47, 51, 59, 60, 61: Ramanathan teaches a device comprising:

a processor (FIG. 8);

a network interface configured to couple the device to a network (FIG. 8); and

a memory comprising program instructions (FIG. 8), wherein the program instructions are executable within the device to:

obtain one or more mechanisms (col. 11 lines 9-15; wherein the discovery module is obtaining configuration to execute discovery techniques for accessing services in the server farm) for accessing a set of peer-to-peer platform resources from one or more peer nodes on the network (FIG. 9 and col. 1 lines 15-30), wherein the one or more peer nodes participate in a peer-to-peer environment on the network to discover each other, communicate with each other, and cooperate with each other to form peer groups and share content, and wherein the one or more mechanisms for accessing the set of peer-to-peer platform resources includes:

> a mechanism for accessing a discovery service for discovering resources in the peer-to-peer environment in accordance with a peer discovery protocol (col. 22 lines 50-67); and

access the set of peer-to-peer platform resources using the one or more mechanisms to participate as a peer node in the peer-to-peer environment (col. 6 lines 65-67 thru col. 7 lines 1-6).

Ramanathan, however, fails to teach

> a mechanism for accessing a membership service for applying for membership in accordance with a peer membership protocol in one or more peer groups each comprising a set of cooperating peer nodes.

Badovinatz, in an analogous art, teaches managing membership of a domain of processors and allowing new nodes to join a domain, reporting node status and recovering nodes (col. 1 lines 40-67). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Ramanathan's device of discovering services in a peer-to-peer environment with Badovinatz's management of membership of a domain of processors, for the advantage of maintaining high service availability by recovering the main source of service as quickly as possible (col. 1 lines 25-37 Bodovinatz).

Claim 2, 14, 19, 30, 40, 48, 52: Ramanathan teaches the device as claimed, wherein the one or more mechanisms include one or more advertisements for the set of resources (col. 4 lines 12-26; wherein the node providing the services has to advertise that it exists in order for the other nodes to discover that it exists).

Claim 3, 15, 20, 31, 41, 49, 53: Ramanathan teaches the device as claimed, wherein the one or more mechanisms include one or more code mechanisms for accessing the set of resources (col. 6 lines 65-67 thru col. 7 lines 1-6).

Claim 4: Ramanathan teaches the device as claimed, wherein
the one or more mechanisms include a mechanism for accessing a peer resolver service for sending search queries to other peer nodes in the peer-to-peer environment in accordance with a peer resolver protocol (col. 29 lines 4-12).

Claim 5: Ramanathan teaches the device as claimed, wherein
the one or more mechanisms include a mechanism for accessing a peer information service for obtaining information about peer nodes' capabilities and status in accordance with a peer information protocol (col. 21 lines 45-51 and col. 25 lines 4-10).

Claim 7: Ramanathan teaches the device as claimed, wherein

the one or more mechanisms include a mechanism for accessing an endpoint routing service for obtaining network route information to peer nodes in accordance with an endpoint routing protocol (col. 24 lines 24-30).

Claim 11, 27, 37, 45, 58: Ranamanthan teaches the device as claimed, wherein, to obtain the one or more mechanisms, the program instructions are further executable to:

send a message to a particular peer node of the one or more peer nodes requesting the one or more mechanisms (col. 24 lines 53-58); and

receive the one or more mechanisms from the peer node in response to the request (col. 24 lines 58-65).

Claim 12, 28, 38, 46: Ranamanthan teaches the device as claimed, wherein the device is configured to execute the program instructions to:

obtain the one or more mechanisms during an initialization process of the device (col. 6 lines 6-11); and

access the set of resources using the one or more mechanisms during the initialization process of the device (col. 6 lines 65-67 thru col. 7 lines 1-6).

Claim 21, 32, 54: Ranamanthan teaches the peer computing system as claimed, wherein

the plurality of peer nodes are members peers in a peer group that provides a common set of services to member peers of the peer group (col. 25 lines 17-22;

wherein the common service may be web service where all the peers accessing the service is in the same service group, and same for Email, and News services).

Claims 6, 10, 16, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramanathan et al (US Patent 6,182,136) in view of Badovinatz (US Patent 5,896,503) and Northrup (US Patent 6,671,746).

Claim 6, 10: Ramanathan teaches the device as claimed, but fails to teach the one or more mechanisms include a mechanism for accessing a pipe binding service for finding a physical location of a pipe endpoint and binding the pipe endpoint to a peer node in accordance with a pipe binding protocol, wherein a pipe endpoint corresponds to a network interface of a peer node.

Northrup, in an analogous art, teaches a BINDER Service to bind the identifiable name of the Minor Services to the Application Program (col. 9 lines col. 38 lines 28-48). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Ramanathan's device with Northrup's binder service, for the advantage of easing Minor Services of interest to the Application Program without the altering the Application Program (col. 9 lines 48-60 Northrup).

Claim 16, 22: Ranamanthan teaches the devices as claimed, wherein

the one or more mechanisms include one or more of a mechanism for accessing a peer resolver service for sending search queries to other peer nodes in the peer-to-peer environment in accordance with a peer resolver protocol (col. 29 lines 4-12),

a mechanism for accessing a peer information service for obtaining information about peer nodes' capabilities and status in accordance with a peer information protocol (col. 21 lines 45-51 and col. 25 lines 4-10), and

a mechanism for accessing an endpoint routing service for obtaining network route information to peer nodes in accordance with an endpoint routing protocol (col. 24 lines 24-30).

Ranamanthan, however, fails to teach a mechanism for accessing a pipe binding service for finding a physical location of a pipe endpoint and binding the pipe endpoint to a peer node in accordance with a pipe binding protocol, wherein a pipe endpoint corresponds to a network interface of a peer node.

Northrup, in an analogous art, teaches a BINDER Service to bind the identifiable name of the Minor Services to the Application Program (col. 9 lines col. 38 lines 28-48). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Ramanathan's device with Northrup's binder service, for the advantage of easing Minor Services of interest to the Application Program without the altering the Application Program (col. 9 lines 48-60 Northrup).

Claims 8 -9, 24-25, 34-35, 42-43, and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramanathan et al (US Patent 6,182,136) in view of Badovinatz (US Patent 5,896,503) and Baratz (US Patent 5,109,483).

Claim 8, 24, 34, 42, 56: Ramanathan teaches the device as claimed, but fails to teach the program instructions are further operable to:

terminate participation of the device in the peer-to-peer environment;

maintain the one or more mechanisms in memory of the device; and

access the one or more maintained mechanisms to again participate in the peer-to-peer environment.

Baratz, in analogous art, teaches terminating sessions in an advance peer-to-peer networking environment and participating in a peer-to-peer sessions with state information (Abstract and col. 4 lines 7-21). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Ramanathan's device with Baratz's processor operable to terminate and participate in an advanced peer-to-peer network sessions with state information, for the advantage of facilitating error detection and reducing bandwidth utilization (col. 4 lines 16-21 Baratz).

Claim 9, 25, 35, 43, 57: Ramanathan teaches the device as claimed, wherein the program instructions are further operable to:

terminate participation of the device in the peer-to-peer environment;

obtain one or more updated mechanisms for accessing the set of peer-to-peer platform resources from the one or more peer nodes; and

access the set of peer-to-peer platform resources using the one or more updated mechanisms to again participate in the peer-to-peer environment.

Baratz, in analogous art, teaches terminating sessions in an advance peer-to-peer networking environment and participating in a peer-to-peer sessions with state information and accessing peer-to-peer resources with information updates on the session (Abstract and col. 4 lines 7-21). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Ramanathan's device with Baratz's processor operable to terminate and participate in an advanced peer-to-peer network sessions with state information, for the advantage of facilitating error detection and reducing bandwidth utilization (col. 4 lines 16-21 Baratz).

Claims 8 -9, 24-25, 34-35, 42-43, and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramanathan et al (US Patent 6,182,136) in view of Badovinatz (US Patent 5,896,503) and CVS (Cederqvist et al, 1993), hereinafter referred to as CVS.

Claim 17, 23, 33, 50, 55: Ranamanthan teaches the peer node as claimed, but fails to teach the program instructions are further executable to:

maintain version information for each of the one or more mechanisms; and

if a particular mechanism of the one or more mechanisms is updated to a new version, provide the new version of the mechanism to the device.

CVS, in an analogous art, teaches version management in version control system. It teaches keeping a record of the history of source files and updating source files to a newer version ("What is CVS?" page 1). It would be obvious to one of ordinary skill in the art at the time of the invention to combine Ranamanthan's device of discovery service protocol with CVS's version control management system, for the advantage of efficiency in version information storage ("What is CVS?" page 1, 3rd paragraph).

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tan Lien whose telephone number is (571) 272-3883. The examiner can normally be reached on Monday-Thursday from 8:30am to 6pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for this Group is (703) 305-3718.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [tan.lien@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tan Lien
Examiner
Art Unit 2141

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER